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Dated: March 17, 2005

Signature: \_\_\_\_\_

(David C. Reas)

Docket No.: 29864/38509  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
L. H. Bernbaum et al.

Application No.: 10/660,145

Confirmation No.: 4979

Filed: September 11, 2003

Art Unit: 3727

For: SOFT-SIDED CARRYING CASE

Examiner: T. M. Mai

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is attorney of record for the assignee of the above-identified application. HIGH SIERRA SPORT COMPANY certifies that it is the owner of 100% interest in the above identified patent application, as evidenced by the attached assignment, said assignment having been recorded in the U.S. Patent and Trademark Office on June 11, 2001 at Reel 11884, Frame 0447.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,644,448. The owner hereby agrees that any patent that is granted on the above-identified application shall be enforceable only for and during such period that it and the above listed patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assignees.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent,

as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminate prior to the expiration of its full statutory term.

Please charge the amount of \$65.00 covering the fee set forth in 37 CFR 1.20(d) to our Deposit Account No. 13-2855, under Order No. 29864/38509. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 29864/38509. A duplicate copy of this paper is enclosed.

Dated: March 17, 2005

Respectfully submitted,

By 

David C. Read

Registration No. 39,811

MARSHALL, GERSTEIN & BORUN LLP

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Attorney for Applicant



**UNITED STATES DEPARTMENT OF COMMERCE**  
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AUGUST 23, 2001

PTAS

MARSHALL, O'TOOLE, GERSTEIN ET AL  
DAVID C. READ  
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**UNITED STATES PATENT AND TRADEMARK OFFICE**  
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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/11/2001

REEL/FRAME: 011884/0447  
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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BERNBAUM, L. HARRISON

DOC DATE: 04/06/2001

ASSIGNOR:

VERMILLION, SCOTT A.

DOC DATE: 04/06/2001

ASSIGNEE:

HIGH SIERRA SPORT COMPANY  
880 CORPORATE WOODS PARKWAY  
VERNON HILLS, ILLINOIS 60061-3164

SERIAL NUMBER: 09759683  
PATENT NUMBER:

FILING DATE: 01/12/2001  
ISSUE DATE:

DIANE RUSSELE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

**RECEIVED**

AUG 28 2001

MARSHALL O'TOOLE

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Commissioner of Patents  
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Please record the attached original  
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06-15-2001



101750116

<p>1. Name of party or parties conveying an interest:</p> <p>L. Harrison Bernbaum Scott a Vermillion <u>6-11-01</u></p>	<p>2. Name and address of party or parties receiving an interest:</p> <p>Name: High Sierra Sport Company, a Delaware corporation Address: 880 Corporate Woods Parkway City: Vernon Hills State: Illinois Zip: 60061-3164</p>
<p>3. Description of the interest conveyed:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Change of Name <input type="checkbox"/> Security Agreement</p> <p>Execution Date: April 6, 2001</p>	<p>Other:</p> <p></p>
<p>4. Application number(s) or patent number(s). Additional sheet attached? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p>	<p>If the document is being filed together with a new application, the execution date of the application is:</p>
<p>A. Patent Application no.(s): 09/759,683 filed January 12, 2001</p>	<p>B. Patent no.(s):</p>
<p>5. Name and address of party to whom correspondence concerning this cover sheet should be mailed:</p> <p>Name: David C. Read Reg. No. 39,811 MARSHALL, O'TOOLE, GERSTEIN, MURRAY &amp; BORUN Street Address: 6300 Sears Tower 233 S. Wacker Drive City: Chicago State: Illinois Zip: 60606-6402</p>	<p>6. Number of applications and/or patents identified on this cover sheet: 1</p> <p>7. Amount of fee enclosed or authorized to be charged: \$40.00</p> <p>8. Any additional required fee may be charged, or any overpayment credited to our deposit account: 13-2855</p>

9. To the best of my knowledge and belief, the information contained on this cover sheet is true and correct and any copy submitted is a true copy of the original document.

Date: June 6, 2001

David C. Read  
Reg. No. 39,811

Total number of pages including cover sheet, attachments, and document: 3

# ASSIGNMENT

Serial No: 09/759,683  
Filed: January 12, 2001  
Title: Soft-Sided Carrying Case

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby assign to High Sierra Sport Company, a Delaware corporation, 880 Corporate Woods Parkway, Vernon Hills, Illinois, 60061-3164, (hereinafter "assignee"), its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, executed by the undersigned on April 6, 2001, and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension thereof.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

The undersigned hereby authorize and request the attorneys of record in said application to insert in this assignment the execution date and/or filing date and serial number of said application when officially known.

The undersigned warrant themselves to be the owners of the interest herein assigned and to have the right to make this assignment and further warrant that there are no outstanding prior assignments, licenses, or other rights in the interest herein assigned.

For said consideration the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation, continuation-in-part and substitute applications for said invention or improvements, and any necessary oath or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application, and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns, may deem necessary or expedient, and for said consideration the undersigned further agree upon the request of said assignee, its successors or assigns, in the event of any application or Letters Patent assigned herein becoming involved in Interference, to cooperate to the best of the ability of the undersigned with said assignee, its successors or assigns, in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, the undersigned hereby agreeing to perform, upon request, any and all affirmative acts to obtain said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in said assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by said assignee, its successors and assigns, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment and sale had not been made.

MARSHALL, O'TOOLE, GERSTEIN, MURRAY & BORUN, 6300 Sears Tower, 233 South Wacker Drive, Chicago, Illinois 60606-6402

WITNESS our hands this 6<sup>th</sup> day of April, 2001.State of IllinoisCounty of Cook

} ss

L. Harrison BernbaumScott A. Vermillion

On this 6<sup>th</sup> day of April, 2001, before me, a Notary Public in and for the County and State aforesaid, appeared L. Harrison Bernbaum and Scott A. Vermillion, to me personally known to be the same persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed said instrument as their free and voluntary act and for the uses and purposes therein expressed.

WITNESS my hand and seal the same day and year last above given.

My Commission Expires: 8/15/2003Effie J. Shimp  
Notary Public

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